

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

ROBERT L. DYKES,

Plaintiff,

v.

CORIZON, INC., et al.,

Defendants.

Case No. 2:22-cv-113

Hon. Hala Y. Jarbou

ORDER

Plaintiff Robert L. Dykes is an inmate incarcerated at the Kinross Correctional Facility (KCF). Dykes alleges violations of his rights under the First and Eighth Amendments as well as under the Religious Land Use and Institutionalized Persons Act (RLUIPA). Dykes names nine Defendants in his complaint: Corizon, Inc. (Corizon); Dr. Timothy Stallman; Nurse Practitioner (NP) Wendy Jamros; Dieticians Kelly Wellman and Patricia Willard; Michigan Department of Corrections (MDOC) Special Activities Coordinators Steve Adamson and Adrian Dirschell; and MDOC Deputy Director Jeremy Bush. (Compl., ECF No. 1.) The Court's July 22, 2022, Opinion and Order, ECF Nos. 8 and 9, respectively, dismissed Defendants Ball and Adamson.

On February 13, 2023, Magistrate Judge Maarten Vermaat issued a Report and Recommendation (R&R) recommending that the Court deny Dr. Stallman, NP Jamros, and Corizon's motion for summary judgment for failure to exhaust administrative remedies (ECF No. 16). The R&R was duly served on the parties. No objections have been filed, and the deadline for doing so expired on February 27, 2023.

Corizon's successor, Tehum Care Services, Inc., filed for bankruptcy protection on February 13, 2023, so the case against Corizon is automatically stayed. (See Suggestion of

Bankruptcy & Notice of Automatic Stay, ECF No. 33.) Because of the stay, the Court will address the R&R solely as to Dr. Stallman and NP Jamros. The Court will not address any claims against Corizon.

On review, the Court concludes that the R&R correctly analyzes the issues and makes a sound recommendation as to Dr. Stallman and NP Jamros.

Accordingly,

IT IS ORDERED that the R&R (ECF No. 32) is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Dr. Stallman, NP Jamros, and Corizon's motion for summary judgment (ECF No. 16) is **DENIED** as it relates to Dr. Stallman and NP Jamros.

Dated: March 27, 2023

/s/ Hala Y. Jarbou
HALA Y. JARBOU
CHIEF UNITED STATES DISTRICT JUDGE